

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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MARCO ANTONIO HERNANDEZ-  
MEDINA,

Case No. 24-CV-3617 (NEB/JFD)

Petitioner,

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

v.

MARK KING, *Warden*,

Respondent.

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The Court has received the October 9, 2024, Report and Recommendation of United States Magistrate Judge John F. Docherty. (ECF No. 12.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 12) is ACCEPTED.
2. Petitioner's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (ECF No. 1) is DISMISSED WITHOUT PREJUDICE.
3. Petitioner's application to proceed in forma pauperis (ECF No. 10) is DENIED AS MOOT.
4. This matter is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 18, 2024

BY THE COURT:

s/Nancy E. Brasel  
Nancy E. Brasel  
United States District Judge